

# In the United States Court of Federal Claims

No. 03-445C  
(Filed: March 24, 2006)

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**TEXAS PEANUT FARMERS, et al.,**

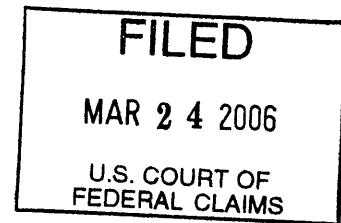
**Plaintiffs,**

v.

**THE UNITED STATES,**

**Defendant,**

\* \* \* \* \*



## ORDER

The court is under instructions, pursuant to an order by the Court of Appeals for the Federal Circuit on May 31, 2005, "to transfer [the plaintiffs' cases] to the various district courts where venue would be proper." Texas Peanut Farmers v. United States, 409 F.3d 1370, 1375 (Fed. Cir. 2005). The district courts with jurisdiction over the plaintiffs' claims are the district courts for the judicial districts in which the plaintiffs' farms are located. See 7 U.S.C. § 1508(j)(2)(A) (2000).<sup>1</sup> The court has determined the locations of the plaintiffs' farms based on the best information available to the court at this time, and the court understands that if this information is later revealed to be erroneous, the parties and the district courts will endeavor to ensure that the cases are subsequently transferred to the appropriate court. Accordingly, the court directs the Clerk

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<sup>1</sup> Originally, the plaintiffs requested that the court transfer their cases to the U.S. District Court for the Eastern District of North Carolina, where the Judicial Panel on Multidistrict Litigation ("JPML") had consolidated a number of similar cases for discovery purposes. However, upon request, the JPML declined to take jurisdiction over the cases pending in this court.

of the Court to TRANSFER the cases of all the plaintiffs to various district courts<sup>2</sup> as follows:

of the Court to TRANSFER follows:

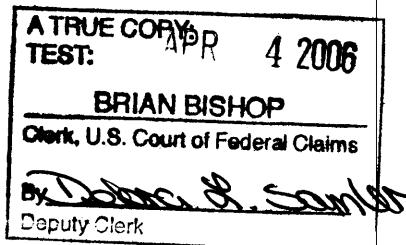
1. **U.S. District Court for the Middle District of Georgia:** Bradford L. Carroll, Edwin Clark, Michael Harrel Cobb, Walter L. Davenport, Trey Hamilton Dunaway, John L. Eubanks, Eric S. Gibbs, Joseph & Robin Gwines, Danny W. Hawkins, Steve E. Houston, Charles L. Israel, Justin Israel Johnson, William G. Jones, Larry Jones, Sherwood T. King, Robert A. Lancaster, Ann G. McClure, Jimmy M. McClure, Royce McCrary, Timothy E. McMillan, Marvin Moss, Clifford L. Oliver, Willie J. Prothro, Billy Senkbeil, Dan W. Smith, Eugene Williams, and Griggs Farms;
2. **U.S. District Court for the Northern District of Florida:** James C. Barnes, Joseph M. Diamond, Alan J. Edwards, Bruce Godwin, and Donnie Frank Lowry;
3. **U.S. District Court for the District of South Carolina:** Wallace A. Berry and William R. Marsh;
4. **U.S. District Court for the Eastern District of Texas:** Darrel Wayne Brown, Loraine Fischer Estate, Bill Gayle, Tommy Johnson, Porter Jones, Loyal Lasiter, J.W. Logan, Tommie R. Mercer, Sammy Morgan, Leon A. Pelzel, Glynn Pennington, Mike Quattrin, Joe Robinson Estate, Gwen Scarbrough, Suvella Walker, Julius Wells Estate, Wanda Winter, Wade Pennington & Sons Farms, FN 4798, and Wade Pennington & Sons Farms, FN 5868;
5. **U.S. District Court for the Middle District of Alabama:** Terry E. Beasley, Lloyd D. Bryant, Elaine O. Bryant, Larry Wood Marshall, and Walter Donald Register;
6. **U.S. District Court for the Northern District of Texas:** Billy Barnes, Jacob Boschman, William Dwain Carroll, Randy D. Decker, Jay Grimshaw, Luther Don Keith, Robert D. Keith, Ronald Scott Koonce, R.S. Lawrence, Philip S. Lewis, Terry M. Mathis, Timothy L. Matthews, Billy R. Meadorf, Delbert L. Otwell, Elmer Wayne Reynolds, Jr., Billy Wayne Shannon, Billy Neal Shannon, Terry Lee Stacy, Bradlee Davin Stacy, Troyat Underwood, Peggy S. Woods, Heidi & Joe Ed Stacy,

<sup>2</sup> Most of the plaintiffs listed in paragraphs numbered one through five below already have other claims pending before those courts; those plaintiffs listed in paragraphs numbered six through nine do not have other claims pending in those courts. The court is transferring all of these cases, even those already pending elsewhere, because of statute of limitations concerns raised before the Court of Appeals for the Federal Circuit. See Texas Peanut Farmers, 409 F.3d at 1375 n.6.

Word, A.L.H.M., Inc., F.A.C.E., Inc., and M.E. Watson Farms, Inc.;

7. **U.S. District Court for the Western District of Texas:** Melvin O. Iselt, Lorine B. Iselt, Jimmy Seay, and Clarence C. Wachsmann;
8. **U.S. District Court for the Southern District of Texas:** David & Pam Groschke and David Gene Lehmann; and
9. **U.S. District Court for the Southern District of Georgia:** Charles E. Smith, Jr.

**IT IS SO ORDERED.**



NANCY B. FIRESTONE  
Judge